

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1, 2, 6-12 and 14-17 are pending. Claims 1, 2, 6-12 and 14-17 have been rejected.

Claims 1, 7, and 10 have been amended. No claims have been canceled. Claims 18-20 have been canceled. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicants submit that the amendments do not add new matter.

Applicants reserve all rights with respect to the applicability of the Doctrine of Equivalents.

Applicants submit herewith a courtesy copy of the Supplemental Amendment with transmittals as filed on July 24, 2007 for the Examiner's reference, as discussed during the interview. A copy of the post card with the stamp indicating that this Supplemental Amendment was received at the US PTO on July 30, 2007, is submitted herewith.

INTERVIEW SUMMARY

The undersigned representative for applicants thanks the Examiner for the courtesy of the telephonic interview on October 12, 2007. The applicants' proposed amendments in response to the Office Action mailed on October 1, 2007 were discussed in light of the cited references. The representative for applicants discussed the claimed invention with the Examiner. The Examiner asked the representative for applicants to provide a proposed amendment in light of the discussion. No formal agreement was reached as to any claims.

Claim 1 has been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Applicants have amended claim 1 to overcome the Examiner's rejection.

Applicants respectfully submit that support for the limitation of amended claim 1 of “receiving a first request for an information object at an anycast address”, is set forth, for example, in paragraph [0040] of the specification. Applicants respectfully submit that support for the limitation of amended claim 1 of “resolving the first request to a corresponding unicast network address for the information object, wherein the resolving includes transmitting a second request for the corresponding unicast network address, awaiting an anycast resolution response to the second request for a predetermined time; and returning a failure message if the response to the second request is not received within the predetermined time, wherein the second request is a single IP packet having the anycast network address” is set forth, for example, in paragraphs [0041]-[0043] of the specification.

Therefore, applicants respectfully submit that amended claim 1 satisfies the requirements of 35 U.S.C. § 112, first paragraph.

Given that claims 2, 6, and 16 depend from amended claim 1, and add additional limitations, applicants respectfully submit that claims 2, 6, and 16 are now patentable under 35 U.S.C. § 112, first paragraph.

Claims 1-2, 5-8, 10, 11, and 16 have been rejected under 35 U.S.C. § 103(a) as being anticipated by U.S. Patent No. 6,415,323 to McCanne et al. (“McCanne”), in view of U.S. Patent No. 6,314,088 to Yamano (“Yamano”), in further view of U.S. Patent No. 5,822,320 to Horikawa (“Horikawa”).

Applicants reserve the right to swear behind McCanne.

Amended claim 1 reads as follows:

A method, comprising:

receiving a first request for an information object at an anycast address, wherein the request is received at an information object repository selected according to specified performance metrics by mapping an address of a client to one or more addresses of information

object repositories using a Web Information Locator by Distance (WILD) protocol that runs on top of a Transmission Control Protocol (TCP);

resolving the first request to a corresponding unicast network address for the information object, wherein the resolving includes transmitting a second request for the corresponding unicast network address, awaiting an anycast resolution response to the second request for a predetermined time; and returning a failure message if the response to the second request is not received within the predetermined time, wherein the second request is a single IP packet having the anycast network address;

instructing the information object repository to obtain a copy of the information object at the corresponding unicast network address; and returning the anycast resolution response in response to the second request if the anycast resolution response is received within the predetermined time, the anycast resolution response is a single IP packet having the corresponding unicast network address.

(Amended claim 1)(emphasis added)

Applicants respectfully submit that such limitations of amended claim 1 are disclosed at least in the paragraphs [0040]-[0043], [0064]-[0065], [0068]-[0069], and [0071] of the specification.

It is respectfully submitted that McCanne does not teach or suggest a combination with Yamano and Horikawa, Yamano does not teach or suggest a combination with McCanne and Horikawa, and Horikawa does not teach or suggest a combination with McCanne and Yamano. It would be impermissible hindsight, based on applicants' own disclosure, to combine McCanne, Yamano, and Horikawa.

Furthermore, even if the node configuration setup system of servers hunting for the clients data of Yamano and the address resolution for NHRP ATM networks of Horikawa were incorporated into the redirection system for service-node location of McCanne, such a combination would still lack receiving a first request for an information object at an anycast address, wherein the request is received at an information object repository selected according to specified performance metrics by mapping an address of a client to one or more addresses of information object repositories using a Web Information Locator by Distance (WILD) protocol

that runs on top of a Transmission Control Protocol (TCP), and resolving the first request to a corresponding unicast network address for the information object, wherein the resolving includes transmitting a second request for the corresponding unicast network address, awaiting an anycast resolution response to the second request for a predetermined time, and returning a failure message if the response to the second request is not received within the predetermined time, wherein the second request is a single IP packet having the anycast network address, as recited in amended claim 1.

The Examiner acknowledged that “McCanne …does not disclose selecting the repository based on the WILD protocol” (Office Action 10/1/07, p. 8).

McCanne discloses a proximity-based redirection system for service-node location. More specifically, McCanne discloses “…a logic for accepting a request from a client, logic for determining a selected server for handling the request, the selected server being one of plurality of servers…” (col. 3, lines 60-65). In particular, McCanne discloses “…when a packet enters the master AS [autonomous system]…, it is routed to the…service node that is closest to the border router…” (col. 8, lines 10-24). In contrast, amended claim 1 refers to receiving a first request for an information object at an anycast address, wherein the request is received at an information object repository selected according to specified performance metrics by mapping an address of a client to one or more addresses of information object repositories using a Web Information Locator by Distance (WILD) protocol that runs on top of a Transmission Control Protocol (TCP).

Further, the Examiner states that “McCanne discloses “the information object repository…to resolve the network layer anycast address by transmitting a request for the network layer unicast address and awaiting a response thereto [column 11, lines 24-36 and lines 58-65, column 12, lines 16-24 and column 13 lines 35-42]”(Office Action mailed 04/12/07, p. 6)

Applicants respectfully disagree.

McCanne, in contrast, discloses that “a client initiates a... connection to an anycast address.; an agent at the termination point to that anycast dialogue redirects the client toa non-anycast IP address...” (col. 11, lines 58-65). In particular, McCanne discloses that “upon receipt of a new ...request, the ARN [anycast referral node] selects a service node from the list of the available nodes in the database, and redirects the client to that node... Because the ARN “times out” the SN [service node] data base entries, the SNs that fail are not used for service requests” (col. 13, lines 21-43). In contrast, amended claim refers to resolving the first request to a corresponding unicast network address for the information object that includes transmitting a second request for the corresponding unicast network address, awaiting an anycast resolution response to the second request for a predetermined time; and returning a failure message if the response to the second request is not received within the predetermined time, wherein the second request is a single IP packet having the anycast network address.

Yamano, in contrast, discloses a node configuration setup system with servers hunting through connection-oriented network for client’s data (Abstract).

Horikawa, in contrast, discloses an address resolution for the ATM network that uses Next Hop Resolution Protocol (NHRP) (col. 1, lines 7-32).

Therefore, applicants respectfully submit that claim 1, as amended, is not obvious under 35 U.S.C. § 103(a) over McCanne, in view of Yamano, and further in view of Horikawa.

Given that amended independent claims 7 and 10 contain the limitations similar to the limitations discussed with respect to amended claim 1, applicants respectfully submit that amended independent claims 7 and 10 are not obvious under 35 U.S.C. § 103(a) over McCanne, in view of Yamano, and further in view of Horikawa.

Given that claims 2, 6, 16, 8-9, 19, and 11-12, and 15 depend from amended independent claims 1, 7, and 10 respectively, and add additional limitations, applicants respectfully submit that claims 2, 6, 16, 8-9, 19, and 11-12, and 15 are not obvious under 35 U.S.C. § 103(a) over McCanne, in view of Yamano, and further in view of Horikawa.

Claims 18-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over McCanne, Yamano and Horikawa, in further view of U.S. Patent No. 6,820,133 to Grove ("Grove").

Applicants have canceled claims 18-20.

Applicants reserve the right to swear behind McCanne and Grove.

It is respectfully submitted that none of the references cited by the Examiner teaches or suggests a combination with each other. It would be impermissible hindsight, based on applicants own disclosure, to make such a combination.

Furthermore, even if the web delivery system of Grove, the node configuration setup system of servers hunting for the clients data of Yamano and the address resolution for NHRP ATM networks of Horikawa were incorporated into the redirection system for service-node location of McCanne, such a combination would still lack receiving a first request for an information object at an anycast address, wherein the request is received at an information object repository selected according to specified performance metrics by mapping an address of a client to one or more addresses of information object repositories using a Web Information Locator by Distance (WILD) protocol that runs on top of a Transmission Control Protocol (TCP), as recited in amended claim 1.

McCanne discloses a proximity-based redirection system for service-node location. More specifically, McCanne discloses "...a logic for accepting a request from a client, logic for determining a selected server for handling the request, the selected server being one of plurality

of servers..." (col. 3, lines 60-65). In particular, McCanne discloses "...when a packet enters the master AS [autonomous system].., it is routed to the...service node that is closest to the border router..." (col. 8, lines 10-24).

Yamano, in contrast, discloses a node configuration setup system with servers hunting through connection-oriented network for client's data (Abstract).

Horikawa, in contrast, discloses an address resolution for the ATM network that uses Next Hop Resolution Protocol (NHRP) (col. 1, lines 7-32).

Grove, in contrast, discloses using a high-performance communication protocol between two intermediate nodes to deliver the web content. More specifically, Grove discloses "...specialized nodes that are deployed at two or more locations... with the capability to communicate with one another ... and to select other nodes...(col. 5, lines 52-57). In particular, Grove discloses that "such specialized nodes are located close to web servers and clients...based on ... metrics...." (col. 5, lines 60-67). In contrast, amended claim 1 refers to receiving a first request for an information object at an anycast address, wherein the request is received at an information object repository selected according to specified performance metrics by mapping an address of a client to one or more addresses of information object repositories using a Web Information Locator by Distance (WILD) protocol that runs on top of a Transmission Control Protocol (TCP).

Therefore, applicants respectfully submit that claim 1, as amended, is patentable in view of McCanne, Yamano, Horikawa, and Grove.

Given that amended independent claims 7 and 10 contain the limitations similar to the limitations discussed with respect to amended claim 1, applicants respectfully submit that amended independent claims 7 and 10 are patentable in view of McCanne, Yamano, Horikawa, and Grove.

Given that claims 2, 6, 16, 8-9, 19, and 11-12, and 15 depend from amended independent claims 1, 7, and 10 respectively, and add additional limitations, applicants respectfully submit that claims 2, 6, 16, 8-9, 19, and 11-12, and 15 are patentable in view of McCanne, Yamano, Horikawa, and Grove.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome.

If the Examiner believes a further telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Tatiana Rossin at (408) 720-8300.

If there are any additional charges, please charge them to Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 10/16/2007

By: _____


Tatiana Rossin
Reg. No. 56,833

1279 Oakmead Parkway
Sunnyvale, California 94085-4040
(408) 720-8300
Fax No. (408) 720-8383